

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jason Arthur Altheide,

Petitioner

v.

State of Nevada, et al.,

Respondents

Case No.: 2:19-cv-02245-JAD-BNW

Order Striking Pro Se Motion to Lift Stay

[ECF Nos. 87, 88]

Jason Arthur Altheide brings this federal habeas action to challenge his Nevada state conviction, habitual-criminal adjudication, and life sentences.¹ This court stayed this case in 2023 to give Altheide the opportunity to exhaust his unexhausted grounds.² And although Altheide originally filed this case on a pro se basis, the Federal Public Defender was appointed to represent him and still does.³ Despite being represented, Altheide has filed a pro se motion to lift the stay,⁴ and the respondents ask this court to strike or deny that motion as an unauthorized pro se filing by a represented party.⁵

This court's local rule IA 11-6(a) prohibits a party who is represented by counsel from filing his own documents with the court. It states that "a party who has appeared by attorney cannot while so represented appear or act in the case. This means that once an attorney makes an appearance on behalf of a party, that party may not personally file a document with the court; all

¹ ECF No. 50.

² ECF No. 85.

³ ECF No. 36.

⁴ ECF No. 87.

⁵ ECF No. 88.

1 filings must thereafter be made by the attorney.”⁶ Because Altheide is a party who is represented
2 by counsel, this rule prohibits him from filing motions on his own behalf. So I grant the
3 respondents’ motion to strike his motion to lift stay. Altheide is cautioned that if he wants the
4 court to take action in this case, he must reach out to his attorneys, Alicia Intriago and Amelia
5 Bizzaro at the Federal Public Defenders Office, and ask them to file the motion on his behalf; he
6 may not file documents with the court on his own.

7 **IT IS THEREFORE ORDERED** that the respondents’ motion to strike [ECF No. 88] is
8 **GRANTED; the Clerk of Court is directed to STRIKE the petitioner’s pro se motion to lift**
9 **stay [ECF No. 87] and mail a copy of this order to the petitioner at HDSP.**

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12 U.S. District Judge Jennifer A. Dorsey
13 Dated: June 27, 2025
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⁶ L.R. IA 11-6(a).